

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5264 of 2025

Arising Out of PS. Case No.-55 Year-2024 Thana- MAHILA P.S. District- Lakhisarai

1. Rajeshwar Prasad @ Rajendra Prasad, S/O Late Manikchand Ram, R/O Muhalla- Manpur Kumhar Toli, P.S.- Manpur, District- Gaya
2. Khushboo Kumari, W/O Rupesh Kumar, R/O Muhalla- Manpur Kumhar Toli, P.S.- Manpur, District- Gaya
3. Rupesh Kumar, S/O Ashok Prasad @ Ashok Kumar ,R/O Muhalla- Manpur Kumhar Toli, P.S.- Manpur, District- Gaya

... .. Petitioners

Versus

1. The State of Bihar
2. Kumari Shaivi @ Saivi Kumari, W/O Rahul Kumar, D/O Late Dinesh Prasad R/O Naya Bazar, Ajanta Press, Pachhna Road, Lakhisarai, P.S.- Mufassil, Dist.- Lakhisarai

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Anil Kumar Sinha, Advocate Mr. Satya Veer, Advocate.
For the State	:	Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Mahila PS. Case No. 5802052240055 of 2024 dated 07.09.2024 registered for the offences punishable under Sections 341, 323, 498(A), 504/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. As per allegation, there was demand of additional



dowry and on account of non-fulfillment of the same, the Opposite party No. 2 was subjected to cruelty by the petitioners and her husband.

4. learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners are innocent and they are other than the husband and are family members of the husband of the informant. He also submits that the petitioners have nothing to do with the personal life of the informant and her husband. Only with intent to harass the whole family, the present case has been lodged against the petitioners.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner Nos. 1 and 2 have clean antecedents whereas the petitioner No. 3 has been made accused in Kotwali P.S. Case No. 69 of 2024 in which he is on bail.

7. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named,



to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Mahila PS. Case No. 5802052240055 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

S.Ali/-

U		T	
---	--	---	--

